



USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC #:  
DATE FILED: 1/14/08

MICHAEL A. CARDOZO  
Corporation Counsel

THE CITY OF NEW YORK  
LAW DEPARTMENT  
100 CHURCH STREET  
NEW YORK, NY 10007

SARAH B. EVANS  
Assistant Corporation Counsel  
Tel: (212) 388-1041  
Fax: (212) 388-9771

January 7, 2008

VIA FAX

Fax: 212-805-7941  
Honorable Loretta A. Preska  
United States District Judge  
Daniel Patrick Moynihan  
United States Courthouse  
500 Pearl Street  
New York, New York 10007

Re: Randal Naggie v. City of New York, et al., 07 CV 3901 (LAP)

Your Honor:

I am an Assistant Corporation Counsel in the Special Federal Litigation Division of the New York City Law Department handling the defense of the above-referenced matter and write jointly on behalf of all the parties.

Pursuant to the Court's instructions during the November 7, 2007 conference, we write to respectfully request that the Court schedule a settlement conference, approximately forty-five (45) to sixty (60) days from today, with plaintiff present. Since the November 7, 2007 conference, the parties have continued to make efforts to obtain the underlying documents pertaining to the alleged incident and are exchanging these documents as they become available.

Defendants note that plaintiff's counsel made a settlement demand today. The City requires additional time to respond to evaluate its position on this case and to respond to plaintiff's demand. However, both parties agree that a settlement conference with plaintiff present, in approximately forty-five (45) to sixty (60) days, would be helpful and may obviate the need for further litigation. During that time, the parties intend to continue to review and exchange the relevant documents, and to negotiate without the Court's assistance.

Plaintiff and counsel shall appear for a  
settlement conference on February 27,  
2008 at 2:00 p.m.  
January 13, 2008  
So ordered  
Loretta A. Preska  
USDJ

In view of the foregoing, it is respectfully requested that the Court grant the within request. Thank you for your consideration.

Respectfully submitted,



Sarah B. Evans  
Assistant Corporation Counsel  
Special Federal Litigation Division

cc: Glenn A. Wolther, Esq. (By fax)  
Attorney for Plaintiff  
305 Broadway, Suite 1102  
New York, New York 10007  
Fax: 212-964-0763